

Administrative Procedures for Electronic Filing

a. Designated Cases. All registered attorneys must file pleadings in bankruptcy cases and adversary proceedings electronically. Attorneys who are not registered and pro se persons, may not file electronically.

b. Registration

1. Account Name & Password. An attorney admitted to practice in this court and in good standing may register for one account name and password that will permit him to file and retrieve documents electronically.

2. Registration

(A) Each attorney must submit an individual registration form.

(B) Registration forms may be obtained from and returned to:

Electronic Registration
United States District Court
515 Rusk Avenue
Post Office Box 61010
Houston, Texas 77208-1010
or
www.txs.uscourts.gov

(C) The clerk will transmit by email a password and account name to each registrant. The attorney must reply to the clerk by email to confirm that he has received the transmission.

(D) A registrant may change his password and must change it immediately if he believes that its security may have been compromised. If an attorney forgets his password, the clerk will assign a new one.

(E) An attorney may withdraw from participation in the system by sending the clerk written notice by mail. Withdrawal from the system does *not* withdraw the attorney as counsel of record for the party. On receipt of the notice, the clerk will (i) cancel the account name and password and (ii) delete the attorney from the lists for electronic service.

3. Technological Problems. If either the registrant's system or the clerk's system should be inaccessible from technical difficulties, documents may be filed conventionally. For technical support, call the court at 1-866-358-6201.

c. File Maintenance, Access, and Effect of Electronic Filing.

1. When a Notice of Electronic Filing has been generated, the document is filed and is entered on the docket under Bankruptcy Rule 5003 on the date shown.

2. A document is filed on a day if it is transmitted completely by midnight by the court's local time.

3. Pleadings filed conventionally will be scanned by the clerk and entered on the case docket.

4. The official case file maintained by the clerk consists of the scanned and/or filed electronic images. The clerk will retain paper documents in one master file by date of receipt.

5. Transcripts of Hearings. Transcripts will be filed electronically unless otherwise ordered.

6. Orders. Signed paper orders will be electronically scanned by the clerk and entered on the case docket. Electronic orders with the judge's signature only in type have the same effect as a manually signed order. Electronic transmission by the clerk of notice of an entry of an order or judgment complies with Fed. R. Bankr. P. 9022.

7. Access to the electronic case file is available:

(A) At no charge at each of the federal court houses in the Southern District of Texas;

(B) Through the internet by contacting the PACER Service Center for an account name and password at 1-800-676-6856.

8. Conventional, Certified, and Exemplified Copies. Anyone may buy conventional paper, certified, and exemplified copies of electronically filed documents from the clerk in person at the court house or by mailing a request designating the case number and document by title or docket number. Requests by mail must include a self-addressed, stamped return envelope and the fee. The fee for copying, certification, or exemplification will be under 28 U.S.C. § 1930.

9. If a document is filed electronically, fees must be paid as the clerk instructs.

d. Service of Summons and Complaint. The summons and complaint must be served conventionally under Fed. R. Bankr. P. 7004; they may not be served electronically.

e. Service of Other Pleadings.

1. When a document is filed electronically, the system will automatically generate a “A Notice of Electronic Filing” in the form of **Appendix A**. The clerk will serve this notice electronically on the parties who are registered. Electronic service by the clerk of the Notice of Electronic Filing is the equivalent of service of the paper by first class mail, postage prepaid, by the party.
2. The filer must serve the document in paper on those others who are entitled to notice under the rules but who are not registered for electronic service.
3. Papers that are filed conventionally will be served (A) on those parties entitled to notice and (B) in the manner required under the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules, or court order.

f. Bankruptcy Petition and Schedules.

1. Within five business days after electronically filing a bankruptcy petition, counsel for the debtor must conventionally file the “Declaration for Electronic Filing” manually signed by the debtor. (**Appendix B**) The clerk will maintain the declaration for at least ten years.
2. Debtor must serve manually signed paper copies of schedules and statements of affairs on the case trustee.

g. Signatures. Where a signature is required on a document by rule, statute, or agreement of the parties, a signature on an electronically filed document may be indicated by typing the person’s name above the signature line. Examples of proper manner of showing electronic signatures:

Respectfully submitted,

Jane Doe
TX Bar No. 12345678
P.O. Box 10000
Houston, Texas 77002

or

/s/Jane Doe
TX Bar No. 12345678
P.O. Box 10000
Houston, Texas 77002

A paper copy of the document signed manually by all signers shown in the electronically filed document must be maintained by the filer for (1) five years after the expiration of time for filing an appeal or (2) a longer time required by law.

h. Orders

1. Proposed orders for electronically filed pleadings must be filed as an electronic attachment to the pleading.
2. Orders submitted after hearing or by agreement (greensheet orders) may be filed conventionally with the greensheet attached or electronically by selecting this event from the menu: "proposed order submission after hearing (greensheet)."
3. The court may order the parties to file proposed orders on a 3-1/2" disk, through e-mail, or by other means.

i. Exhibits

1. Leave of Court. Pleadings requiring leave of court must be filed as an exhibit to the motion for leave. If leave is granted the movant must refile the pleading which required leave so that it may be entered on the case docket.
2. Sealed Documents. An electronically filed motion with its proposed order to file documents under seal will be filed without the documents. If the motion is granted, a copy of the signed order must be affixed to the envelope with the sealed documents that the movant delivers to the clerk. The clerk will deliver the envelope/order to chambers.
3. Pleadings to be filed with Exhibits. These pleadings must be filed with exhibits and a courtesy copy delivered to chambers:
 - Plan of Reorganization
 - Disclosure Statement
 - Motions or applications under Bankr. Rules 2014, 7012, 7056, 7065, 9023, 9024, and 9027
 - Trustee's Final Report and Accounting
 - Documents containing affidavits or verified statements
4. Pleadings to be filed with a Summary of Exhibits. All other pleadings, including proofs of claim, must be filed with a summary of exhibits, in the form of Appendix C, and not the exhibits themselves. The filer must serve complete copies with all exhibits in accordance with applicable rules and, upon request, to a party-in-interest. The filer of a fee application shall deliver courtesy copies of the complete application with all exhibits to chambers and to the U.S. Trustee.

5. Trial Exhibits. Trial exhibits are unaffected by these rules.

j. Appeals.

1. Record. After designating the record on appeal electronically, the parties must deliver paper copies of the designated instruments to the clerk. B. L. R. 8007.

2. Briefs and Later Documents. All filings in the district court will be in conventional paper form under its local rules and the federal rules.

Appendix

*Sample of Notice of Electronic Filing
Generated by System When a Document Is Filed*

00-00000-ABC Notice of Electronic Filing

This document was filed by Jim C. Doe on 01/01/2001 at 12:01 AM

Case Name: Debtor name

Case Number: 00-00000-ABC

Document Number: 14

Docket Text:

MOTION FOR RELIEF FROM STAY filed by Jim C. Doe of Creditors law firm on behalf of Creditor. (Doe, Jim C.)

These documents are associated with this transaction:

Document description: Main Document

Original filename: x:/xxxx/12345.pdf

Electronic document Stamp:

[STAMP MOWBStamp_ID=1111111111[Date=01/01/2001][File Number=11111-1][other codes]]

00-00000-ABC Notice will be electronically mailed to:

Jim C. Doe jdoe@creditors.com

Julie W. Doe jdoe@lawfirm.com

00-00000-ABC Because these people could not be notified electronically, the filer must send them a paper copy of the document.

John Doe
123 Main St.
Nowhere, USA

Jane Doe
456 Main St.
Somewhere, USA

Appendix A

United States Bankruptcy Court
Southern District of Texas

In re:	§	Bankruptcy Case No.
	§	
	§	
Debtor	§	
	§	

Declaration for Electronic Filing

Part 1. Declaration of Petitioner:

As the debtor, corporate officer, partner, or member, I declare under penalty of perjury that the information (a) I have given and will give my attorney and (b) the information provided in the electronically filed petition, statements, and schedules is true. I understand that this declaration is to be filed with the clerk within five business days after the petition has been filed electronically. If I fail to file a signed original of this declaration, I understand that my case will be dismissed without notice.

- ☐ I am an individual whose debts are primarily consumer debts and who has chosen to file under chapter 7. I have been advised of my opportunity to file under chapters 7, 11, 12, or 13 of the Bankruptcy Code and of the relief available to me under each of them.
- ☐ By signing for a corporation, partnership, or limited liability company, I declare under penalty of perjury that the information in the petition is true and that I have been authorized to file this petition on behalf of the debtor.

Signed: _____
Debtor

Joint Debtor (If joint, both spouses must sign)

Date:

Corporate Officer, Partner, or Member

Part 2. Declaration of Attorney:

I declare under penalty of perjury: (a) I will give the debtor a copy of all documents filed with and received from the United States Bankruptcy Court. (b) I have told the individual petitioner with primarily consumer debts filing under chapter 7 that he may proceed under chapters 7, 11, 12, or 13 and have explained the relief available under each of them.

Date: _____

Signed: _____
Attorney for Debtor
Texas Bar No.
Address
Telephone
Facsimile
E-mail

File Paper Original with Court — Do Not File Electronically

Appendix B

United States Bankruptcy Court
Southern District of Texas

In re:	§	Bankruptcy Case No.
	§	
	§	
Debtor	§	

Summary of Exhibits

These exhibits are referred to in the [Title of Motion/Claim] .

Description of Exhibit	Summary of Pertinent Parts
1. _____	
2. _____	
3. _____	

Copies of the exhibits are available by request to:

Signature: _____

Name: _____[Typed]_____

Address: _____

Telephone: _____

Facsimile: _____

E-Mail: _____

Appendix C